

SENATE No. 410

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to ensure the safety of organic compost.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Mark C. Montigny	Second Bristol and Plymouth
Steven A. Tolman	Second Suffolk and Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO ENSURE THE SAFETY OF ORGANIC COMPOST.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. As used in this chapter the following words shall unless the context clearly requires otherwise have the following meanings:

"Compost", a mixture that consists aerobically decomposed organic matter and that is used for fertilizing and conditioning agricultural soils.

"Fertilizer", a single or blended substance containing one or more recognized plant nutrient(s) used primarily for its plant nutrient content claimed to have value in promoting plant growth.

"Person", a natural person, corporation, association, partnership, government body or other legal entity.

"Sludge", any solid, semisolid or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant, or any other such waste having similar characteristics and effects.

"Sewage sludge", the solids resulting from wastewater treatment operations and processes that are usually in the form of a semisolid liquid.

14 "Biosolids", a term used to describe sewage sludge processed by further digestion, drying,
15 composting, or the addition of lime.

16 SECTION 2. Notwithstanding any general or special rules or laws to the contrary, it is
17 hereby unlawful in the Commonwealth for any person to sell, market, or distribute compost or
18 fertilizer containing sewage sludge or products derived from sewage sludge such as biosolids
19 that are labeled as "organic" or "made from recovered organic materials" or that uses the word
20 "organic" in any way related to the marketing of the product. The department of environmental
21 protection is hereby authorized and directed to establish a plan to educate consumers about the
22 toxins contained in sewage sludge and biosolids and the possible environmental and health issues
23 associated with the use of these products and establish a take back mechanism for consumers.

24 SECTION 3. Whoever violates any provisions of sections 2 may be punished by a fine of
25 not less than \$1,000 and not more than \$5,000 for each day the violation remains outstanding.